

## **Safety**

The Contractor is responsible for providing a safety program that provides a safe workplace for its workers, other workers on the project, ODOT employees, and the public. That program must fulfill the requirements of the contract as well as all applicable laws and regulations. The Contractor may also be held responsible for the safety program and practices of each of its subcontractors.

The Project Manager must address the issue of safety when completing the periodic Prime Contractor Performance Evaluation. Refer to the Contractor Performance Evaluation section (34) of this Manual.

The primary responsibility for enforcing safety and health law rests with the Oregon Occupational Safety and Health Division (OR-OSHA). Its representatives\* will inspect work sites if they receive complaints of hazardous conditions.

### Drug Testing Program

Section 00170.74 of the contract and ORS 279.312 require the Contractor to have in place, and maintain throughout the life of each project, an employee drug testing program. The Contractor will also require its subcontractors to have an employee drug testing program.

If needed, ODOT may audit the Contractor's drug testing program. The Project Manager may also request to review the Contractor's drug testing program.

The Project Manager is not responsible to monitor the Contractor's drug testing program. If the Project Manager, however, is aware of problems, the Project Manager should notify the Contractor and take other appropriate action for extreme situations.

### Project Safety

ODOT employees should assist the Contractor in every way possible in meeting its obligations for a safe and healthful workplace. ODOT employees are also responsible for assuring that Contractor operations fulfill the contract requirements, such as Temporary Protection and Direction of Traffic needs. The Project Manager may wish to have the Contractor provide the information shown on the ODOT Safety Questionnaire for Contracted Construction Projects (see Exhibit A, pages 1 through 3).

If an ODOT employee notes a safety violation, the employee should bring it to the attention of the Contractor's supervisor or Superintendent. If the violation is

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corrected, nothing more needs to be done other than noting the event in the project diary or on the Daily Progress Report.

If, after oral notice, the Contractor fails to take corrective action, the Project Manager should notify the Contractor in writing that, if the violation is not corrected within two days, the Project Manager will request a safety inspection by OR-OSHA. The Project Manager may request assistance from the ODOT Region Safety Officer, in addition to any request made to OR-OSHA.

If ODOT personnel detect a safety violation that presents an imminent danger, and the Contractor fails to take corrective action, the Project Manager should order that work be suspended until the hazard is eliminated. Contact the ODOT Region Safety Officer for advice and guidance.

If OR-OSHA finds that the suspension of work was not justified, ODOT will be responsible for the cost of the work stoppage. It is always better, though, to err on the side of safety.

ODOT personnel also must be ever aware of their own safety, as well as that of the public. Follow ODOT's safety program, as well as additional measures implemented by your Region or office.

ODOT personnel at the project site must comply with the safety requirements of the Contractor, including requirements for hard hats, safety glasses, etc.

Always be alert for potential danger. Plan ahead so that you do not place yourself in dangerous situations. Look out for your safety, as well as that of other workers and that of the public.

Review the traffic control, devices, and movement of traffic frequently to detect unsafe conditions or situations. Assure that the Contractor is properly maintaining traffic control and devices. If necessary, order the Contractor to maintain its traffic control and devices.

Be willing to pay for extra devices that are required for traffic safety.\*

The Project Manager should suspend the Contractor's operations if the Contractor does not correct unsafe conditions in a timely and proper manner.

Refer to the Daily Reports/Diaries section (12-A) of this Manual for discussion regarding Accident Investigation and Reporting.

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